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SENATE BILL 6606

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State of Washington

54th Legislature

1996 Regular Session

By Senator Bauer

Read first time 01/19/96. Referred to Committee on Education.

1 AN ACT Relating to the hiring and discharging of certificated and  
2 noncertificated school district employees; and amending RCW  
3 28A.400.300.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.400.300 and 1990 c 33 s 382 are each amended to  
6 read as follows:

7 Every board of directors, unless otherwise specially provided by  
8 law, shall:

9 (1) Employ (~~for not more than one year,~~) and, for sufficient  
10 cause, discharge all certificated and noncertificated employees;

11 (2) Adopt written policies granting leaves to persons under  
12 contracts of employment with the school district(s) in positions  
13 requiring either certification or noncertification qualifications,  
14 including but not limited to leaves for attendance at official or  
15 private institutes and conferences and sabbatical leaves for employees  
16 in positions requiring certification qualification, and leaves for  
17 illness, injury, bereavement and, emergencies for both certificated and  
18 noncertificated employees, and with such compensation as the board of  
19 directors prescribe: PROVIDED, That the board of directors shall adopt

1 written policies granting to such persons annual leave with  
2 compensation for illness, injury and emergencies as follows:

3 (a) For such persons under contract with the school district for a  
4 full year, at least ten days;

5 (b) For such persons under contract with the school district as  
6 part time employees, at least that portion of ten days as the total  
7 number of days contracted for bears to one hundred eighty days;

8 (c) For certificated and noncertificated employees, annual leave  
9 with compensation for illness, injury, and emergencies shall be granted  
10 and accrue at a rate not to exceed twelve days per year; provisions of  
11 any contract in force on June 12, 1980, which conflict with  
12 requirements of this subsection shall continue in effect until contract  
13 expiration; after expiration, any new contract executed between the  
14 parties shall be consistent with this subsection;

15 (d) Compensation for leave for illness or injury actually taken  
16 shall be the same as the compensation such person would have received  
17 had such person not taken the leave provided in this proviso;

18 (e) Leave provided in this proviso not taken shall accumulate from  
19 year to year up to a maximum of one hundred eighty days for the  
20 purposes of RCW 28A.400.210 and 28A.400.220, and for leave purposes up  
21 to a maximum of the number of contract days agreed to in a given  
22 contract, but not greater than one year. Such accumulated time may be  
23 taken at any time during the school year or up to twelve days per year  
24 may be used for the purpose of payments for unused sick leave.

25 (f) Sick leave heretofore accumulated under section 1, chapter 195,  
26 Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under  
27 administrative practice of school districts prior to the effective date  
28 of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is  
29 hereby declared valid, and shall be added to leave for illness or  
30 injury accumulated under this proviso;

31 (g) Any leave for injury or illness accumulated up to a maximum of  
32 forty-five days shall be creditable as service rendered for the purpose  
33 of determining the time at which an employee is eligible to retire, if  
34 such leave is taken it may not be compensated under the provisions of  
35 RCW 28A.400.210 and 28A.310.490;

36 (h) Accumulated leave under this proviso shall be transferred to  
37 and from one district to another, the office of superintendent of  
38 public instruction and offices of educational service district

1 superintendents and boards, to and from such districts and such  
2 offices;

3 (i) Leave accumulated by a person in a district prior to leaving  
4 said district may, under rules and regulations of the board, be granted  
5 to such person when the person returns to the employment of the  
6 district.

7 When any certificated or classified employee leaves one school  
8 district within the state and commences employment with another school  
9 district within the state, the employee shall retain the same  
10 seniority, leave benefits and other benefits that the employee had in  
11 his or her previous position: PROVIDED, That classified employees who  
12 transfer between districts after July 28, 1985, shall not retain any  
13 seniority rights other than longevity when leaving one school district  
14 and beginning employment with another. If the school district to which  
15 the person transfers has a different system for computing seniority,  
16 leave benefits, and other benefits, then the employee shall be granted  
17 the same seniority, leave benefits and other benefits as a person in  
18 that district who has similar occupational status and total years of  
19 service.

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